

as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as his invention.

More precisely, the Examiner alleges that claims 1 and 5 are indefinite because of the use of the expression "can be interconnected". In response thereto, claims 1 and 5 have been amended to change the expression "can be interconnected" by the expression "-is interconnectable-". This overcomes the Examiner's rejection.

The Examiner also objects to the expression "and/or" used in claim 1. In response thereto, the end portion of claim 1 has been redrafted in order to overcome the Examiner's rejection.

Rejection of claims 1, 3 to 5 and 7 to 13 under 35 U.S.C. 102(b) and of claims 2 and 5 to 13 under 35 U.S.C. 103(a)

Claims 1, 3 to 5 and 7 to 13 have been rejected under 35 U.S.C. 102(b) as being anticipated by OBINO (US Patent No. 4,731,968) and claims 2 and 5 to 13 have been rejected under 35 U.S.C. 103(a) as being obvious in view of OBINO.

The Applicant has amended claim 1 to more clearly distinguish the present invention over OBINO.

Prior to considering the OBINO reference, it is worth reminding that the present invention is directed to a stackable insulating foam panel which has top and bottom sides. Each of these sides has a single median row of alternating projections and recesses of similar complementary shape. Therefore, the top side of the panel is interconnectable with either the top side or the bottom side of a like panel and the bottom side of the panel is interconnectable with either the top side or the bottom side of a like panel. As can be appreciated by viewing Figure 1 of the present application, the top side (15) of the panel (14a) has a configuration that allows it to be turned upside down and still be

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stackable over the top side (15) of the panel (14b). Moreover, the panel of the present invention may be turned upside down and then side ways and still be stackable over a like panel. In other words, the stackable insulated foam panel of the present invention is reversibly stackable.

The present invention is also characterized in that the single median row on both sides of the panel is disposed between two coplanar edge surfaces. As mentioned in page 3 of the description, these two surfaces act as shoulders or abutments for the edge surfaces and thus help to solidify or stabilize a stack built with foam panels according to the invention.

The object of the invention disclosed in OBINO is completely different from the present invention. OBINO discloses a stackable insulating foam panel having a top side provided with two rows of projections only and a bottom side provided with two rows of recesses only which are complementary in shape with the projections of the top side. Contrary to what is assumed by the Examiner, this stackable insulating foam panel of OBINO does not have top and bottom sides provided with alternating projections and recesses as described and claimed in the present application.

The configuration of the top and bottom sides of the stackable panel of OBINO does not allow it to be stacked over a like panel after being turned upside down. In this connection, the stackable panel of OBINO, due to the configuration of its top and bottom sides, does not provide the advantage of being reversibly stackable in all possible ways.

Furthermore, the panel disclosed in OBINO does not comprise a top side and a bottom side each provided with a single median row disposed between two coplanar edge surfaces, as claimed in claims 1 and 5. Therefore, the panel of OBINO does not provide the advantage mentioned above related to these two coplanar surfaces.

The Applicant thus respectfully submits that the document of OBINO does not

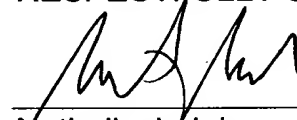
Application No. 09/598,956

show nor suggest a stackable foam panel as described above and defined in new claims 1 to 13.

For these reasons, the Applicant believes that the stackable foam panel of the present application is new and not obvious in view of the OBINO patent. Reconsideration for allowance is accordingly and respectfully requested.

RESPECTFULLY SUBMITTED,

By:



Nathalie Jodoin

Patent Agent

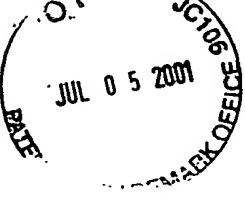
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Encl. - marked-up copy of amendment to the claims;
- A/R Card.

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MARKED-UP COPY OF AMENDMENT TO THE CLAIMS

1. A stackable insulating foam panel having a top side and a bottom side each including a single median row of alternating projections and recesses having a similar complementary shape, the median row being disposed between two coplanar edge surfaces, each projection of the top side being opposed to a recess of the bottom side and each recess of the top side being opposed to a projection of the bottom side whereby the top side [and/or the bottom side] of the panel [can be interconnected] is interconnectable with either the top side or the bottom side of a like panel and the bottom side of the panel is interconnectable with either the top side or the bottom side of a like panel.

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5. A wall form assembly for receiving a flowable material comprising: JUL 10 2001

- a first and a second opposed foam panels in parallel relationship; and
- a plurality of connectors hingedly tying together the first and second foam panels, whereby the tied foam panels are movable between an extended position where the foam panels are spaced-apart to make the form and a collapsed position where the foam panels are brought close to each other, and wherein

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each of the first panel and the second panel has a top side and a bottom side each including a single median row of alternating projections and recesses having a similar complementary shape, the median row being disposed between two coplanar edge surfaces, each projection and recess of the top side of one panel being opposed respectively to a recess and a projection of the bottom side of the same panel and facing a recess of the other panel when the panels are in the extended position whereby the panels in the extended position [can be interconnected] is interconnectable with a like pair of panels.